

Board's Notice of Adopted Rulemaking will also constitute the resubmission for congressional approval of its 2016 amendments to its substantive FMLA regulations discussed above. Congressional approval of the Board's adopted FMLA regulations when they are resubmitted will be critical to implementing these expanded family and medical leave protections in the legislative branch.

THE BOARD'S USERRA REGULATIONS

On December 3, 2008, the OCWR Board of Directors adopted USERRA regulations to apply to the legislative branch. These regulations support our nation's veterans by requiring continuous health care insurance and job protections for the men and women of the armed services who have supported our country's freedoms. They signal a commitment to anti-discrimination, anti-retaliation, and job protections under USERRA.

Those regulations, transmitted to Congress over 10 years ago, have not yet been approved. As with the Board's FMLA regulations, however, it has become necessary to make additional amendments to these regulations to update references to the OCWR's current administrative dispute resolution procedures that were significantly amended by the CAA of 1995 Reform Act of 2018.

Approving the USERRA regulations when they are resubmitted for approval will assist servicemembers in attaining and retaining a job despite the call to duty. Approving USERRA regulations would signal congressional encouragement to veterans to seek work in the legislative branch where veteran employment levels have historically been well below the percentage in the executive branch, or even in the private sector, which is not under a mandate to provide a preference in hiring to veterans. Indeed, many reports have put the level of veteran employees on congressional staffs at 2-3 percent or less.

Congress has long focused on issues concerning the health, welfare, accessibility, and employment status of veterans on Capitol Hill. For example, the Veterans Congressional Fellowship Caucus, started in 2014, has supported efforts to bridge the gap between military service and legislative work. In addition, the Wounded Warrior Fellowship Program exists in the office of the Chief Administrative Officer of the U.S. House of Representatives where Members can hire veteran Fellows for 2-year terms. In the Senate, the Armed Forces Internship Program exists to provide on-the-job training for returning veterans with disabilities. Further, Public Law No. 115-364, signed into law in 2018, makes clear that disabled veterans in the legislative branch are covered under the provisions of the Wounded Warrior Act. As such, they may receive wounded warrior leave during their first year in the workforce for treatment for their service-connected disabilities.

An extension of these laudable efforts in support of our veterans should include the long-delayed passage of the Board's adopted USERRA regulations, which implement protections for initial hiring and protect against discrimination based on military service. Congress can lead by example by applying the USERRA law encompassed in the CAA.

Approving the three sets of Board-adopted regulations outlined above would not only signify a continued congressional commitment to the laws of the CAA—which passed in 1995 with nearly unanimous bicameral and bipartisan support—but would ensure the effective implementation of the laws' workplace protections and benefits on behalf of the legislative branch workforce.

ENDNOTES

1. The Board has long advocated for legislation granting the OCWR General Counsel the authority

to investigate and prosecute complaints of discrimination, harassment, and reprisal in order to assist victims and to improve the adjudicatory process under the CAA. On December 21, 2018, as we were in the process of finalizing the Section 102(b) Report for the 116th Congress, the CAA of 1995 Reform Act, S. 3749, was signed into law. As discussed in that Report, the Reform Act establishes new procedures that are also clearly intended to further these policy goals. Under these circumstances, the Board believes that the best course of action is to continue to evaluate the efficacy of the new Reform Act procedures before revisiting the issue of whether the OCWR General Counsel should be granted such investigatory and prosecutorial authority. Accordingly, this recommendation is not discussed further in this Report.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 5(a)(1)(B) of House Resolution 8, the House stands adjourned until 9 a.m. tomorrow.

Thereupon (at 9 o'clock and 15 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, February 26, 2021, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

EC-402. A letter from the Legal Counsel, Equal Employment Opportunity Commission, transmitting the Commission's final rule — Update of Commission's Conciliation Procedures (RIN: 3046-AB19) received February 2, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and Labor.

EC-403. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2020-0005; Internal Agency Docket No.: FEMA-8657] received February 2, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-404. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2020-0005; Internal Agency Docket No.: FEMA-8639] received February 2, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-405. A letter from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Deutschland Ltd & Co KG (Type Certificate Previously Held by Rolls-Royce plc) Turbofan Engines [Docket No.: FAA-2019-0213; Project Identifier 2019-NE-03-AD; Amendment 39-21324; AD 2020-23-08] (RIN: 2120-AA64) received February 2, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-406. A letter from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule — Special Flight Authorizations for Supersonic Aircraft [Docket No.: FAA-2019-0451; Amdt. No.: 91-362] (RIN: 2120-AL30) received February 2, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110

Stat. 868); to the Committee on Transportation and Infrastructure.

EC-407. A letter from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule — Prohibition Against Certain Flights in the Tehran Flight Information Region (FIR) (OII) [Docket No.: FAA-2020-0874; Amdt. No.: 91-359] (RIN: 2120-AL49) received February 2, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-408. A letter from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule — Extension of the Prohibition Against Certain Flights in the Damascus Flight Information Region (FIR) (OSTT) [Docket No.: FAA-2017-0768; Amdt. No.: 91-348C] (RIN: 2120-AL55) received February 2, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-409. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; GE Aviation Czech s.r.o. (Type Certificate Previously Held by WALTER Engines a.s., Walter a.s., and MOTORLET a.s.) Turbo-prop Engines [Docket No.: FAA-2020-0979; Product Identifier MCAI-2020-01313-E; Amendment 39-21317; AD 2020-23-01] (RIN: 2120-AA64) received February 2, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-410. A letter from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule — Prohibition Against Certain Flights in the Baghdad Flight Information Region (FIR) (ORBB) [Docket No.: FAA-2018-0927; Amdt. No.: 91-353A] (RIN: 2120-AL56) received February 2, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-411. A letter from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule — Amendment of V-5 and V-178, and Revocation of V-513 in the Vicinity of New Hope, KY [Docket No.: FAA-2020-0497; Airspace Docket No.: 20-ASO-1] (RIN: 2120-AA66) received February 2, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-412. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2020-1019; Product Identifier 2020-NM-104-AD; Amendment 39-21328; AD 2020-23-12] (RIN: 2120-AA64) received February 2, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-413. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; ATR-GIE Avions de Transport Regional Airplanes [Docket No.: FAA-2020-1024; Product Identifier MCAI-2020-01401-T; Amendment 39-21330; AD 2020-23-13] (RIN: 2120-AA64) received February 2, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.